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| 10/801,740 | 03/16/2004 | Kevin R. Keegan | 89190.115603/DP-310836 | 1846 |
| <div>7590 Jimmy L. Funke, Esq. Delphi Technologies, Inc. Mail Code 480410202 P.O. Box 5052 Troy, MI 48007</div> | | | <div>EXAMINER AKRAM, IMRAN</div> | |
| | | | <div>ART UNIT 1795</div> | <div>PAPER NUMBER</div> |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 1795

1. Applicant's arguments filed 6/3/09 have been fully considered but they are not persuasive. The reference rejections still apply.
2. Applicant argues that the Yamaoka reference fails to teach, disclose, or suggest using a software construct to determine, measure, and use as a basis the starting temperature of the catalyst in the reformer. Examiner respectfully disagrees. As stated in the Final Rejection, Yamaoka discloses means with which to do this and motivation to do so. It is a well-known fact (as stated in paragraph 2 of Yamaoka and the Applicant's admitted prior art) that catalyst temperature is important to reaction success. This is motivation to measure and use the temperature of the catalyst and the fuel in optimizing reaction conditions. Examiner has not stated that Yamaoka anticipates claims 6 and 7 but that the invention fails to be non-obvious over the reference. Using a software construct to perform a calculation is not a novel delineation from what is well-known by one of ordinary skill in the art to do manually. See MPEP 2144.04 III. Applicant's invention is not novel nor is it non-obvious. A person of ordinary skill in the art would deem the importance of determining a time for a reformer catalyst to achieve a minimum temperature completely within the bounds of ordinary skill and even necessary for success in many relevant processes.
- 3.